

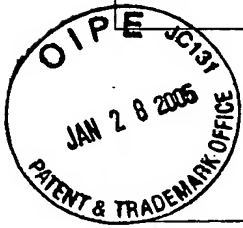
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: January 25, 2005

Signature:

(Kevin M. Kocun, Patent Agent)

IFW



Docket No.: SPINE 3.0-455 CIP CONT V
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Zubok et al.

Application No.: 10/781,484

Group Art Unit: 3738

Filed: February 18, 2004

Examiner: Not Yet Assigned

For: INSTRUMENTATION AND METHODS FOR
USE IN IMPLANTING A CERVICAL DISC
REPLACEMENT DEVICE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

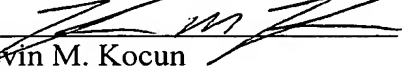
Dear Sir:

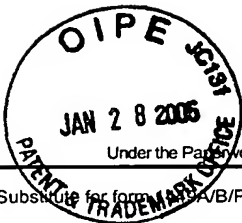
It is respectfully requested that the references listed on the enclosed form be made of record and considered with respect to the above-referenced U.S. patent application. Submission of the present Information Disclosure Statement should not be taken as an admission that the cited references are legally available prior art or that the same are pertinent or material.

In the event that any fee is due in connection with the present Information Disclosure Statement, the Commissioner is hereby authorized to charge the same to our Deposit Account No. 12-1095.

Dated: January 25, 2005

Respectfully submitted,

By 
Kevin M. Kocun
Patent Agent
Registration No.: 54,230
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Agent for Applicant



PTO/SB/08a/b (08-03)

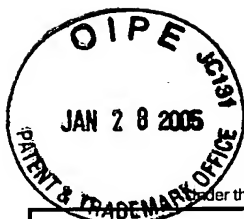
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Patent Work Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form PTO/SB/08a/b (08-03) INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Complete if Known		
			Application Number	10/781,484	
			Filing Date	February 18, 2004	
			First Named Inventor	Rafail Zubok	
			Art Unit	3738	
			Examiner Name	Not Yet Assigned	
			Attorney Docket Number	SPINE 3.0-455 CIP CONT V	
Sheet	1	of	2		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	US-2001/0005796-A1	06-28-2001	Zdelblich et al.	
	AB	US-2002/0082701-A1	06-27-2002	Zdedblich et al.	
	AC	US-2002/0107571-A1	08-08-2002	Foley	
	AD	US-2002/0107572-A1	08-08-2002	Foley et al.	
	AE	US-2002/0123750-A1	09-05-2002	Eisermann	
	AF	US-2002/0128715-A1	09-12-2002	Bryan et al.	
	AG	US-2002/0143399-A1	10-03-2002	Sutcliffe	
	AH	US-2002/0169508-A1	11-14-2002	Songer et al.	
	AI	US-2003/0028249-A1	02-06-2003	Baccelli et al.	
	AJ	US-2003/0060886-A1	03-27-2003	Van Hoeck et al.	
	AK	US-2003/0074064-A1	04-17-2003	Gerbec et al.	
	AL	US-2003/0078668-A1	04-24-2003	Michelson	
	AM	US-2003/0100949-A1	05-29-2003	Michelson	
	AN	US-2003/0109928-A1	06-12-2003	Pasquet et al.	
	AO	US-2003/0125748-A1	07-03-2003	Li et al.	
	AP	US-2003/0149482-A1	08-07-2003	Michelson	
	AQ	US-2003/0167091-A1	09-04-2003	Scharf	
	AR	US-2003/0167092-A1	09-04-2003	Foley	
	AS	US-2003/0181982-A1	09-25-2003	Kuslich	
	AT	US-2003/0195632-A1	10-16-2003	Foley et al.	
	AU	US-2003/0199983-A1	10-23-2003	Michelson	
	AV	US-2003/0204260-A1	10-30-2003	Ferree	
	AW	US-2003/0208274-A1	11-06-2003	Davis	
	AX	US-2003/0216744-A1	11-20-2003	Longhini et al.	
	AY	US-2003/0229397-A1	12-11-2003	Davis	
	AZ	US-2003/0233097-A1	12-18-2003	Ferree	
	AA1	US-2003/0233148-A1	12-18-2003	Ferree	
	AB1	US-2004/0002761-A1	01-01-2004	Rogers et al.	
	AC1	US-2004/0002762-A1	01-01-2004	Hawkins	
	AD1	US-2004/0006343-A1	01-08-2004	Sevrain	
	AE1	US-2004/0010254-A1	01-15-2004	Cook et al.	
	AF1	US-2004/0024459-A1	02-05-2004	Ferree	
	AG1	US-2004/0030389-A1	02-12-2004	Bret Ferree	
	AH1	US-2004/0030390-A1	02-12-2004	Ferree	
	AI1	US-3,486,505	12-30-1969	G. M. Morrison	
	AJ1	US-4,955,908	09-11-1990	Frey et al.	
	AK1	US-4,997,432	03-05-1991	Keller	
	AL1	US-5,122,130	06-16-1992	Keller	
	AM1	US-5,258,031	11-02-1993	Salib et al.	
	AN1	US-5,314,477	05-24-1994	Marnay	
	AO1	US-5,401,269	03-28-1995	Buttner-Janz et al.	
	AP1	US-5,425,773	06/1995	Boyd et al.	
	AQ1	US-5,458,641	10-17-1995	Ramirez Jimenez	
	AR1	US-5,507,816	04-16-1996	Bullivant	
	AS1	US-5,556,431	09/1996	Buttner-Janz, Karin	
	AT1	US-5,562,738	10/1996	Boyd et al.	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--



PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

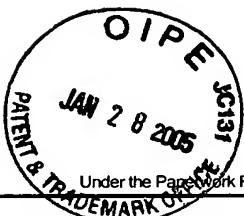
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/781,484
				Filing Date	February 18, 2004
				First Named Inventor	Rafail Zubok
				Art Unit	3738
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	SPINE 3.0-455 CIP CONT V

AU1	US-5,674,296	10/1997	Bryan et al.	
AV1	US-5,720,751	02-24-1998	Jackson	
AW1	US-5,755,796	05/1998	Ibo et al.	
AX1	US-5,865,846	02/1999	Bryan et al.	
AY1	US-5,888,223	03-30-1999	Robert S. Bray Jr.	
AZ1	US-6,001,130	12-14-1999	Bryan et al.	
AA2	US-6,019,792	02/2000	Cauthen.	
AB2	US-6,063,121	05/2000	Xavier et al.	
AC2	US-6,066,175	05-23-2000	Henderson et al.	
AD2	US-6,093,205	07-25-2000	McLeod et al.	
AE2	US-6,093,207	07-25-2000	Pisharodi	
AF2	US-6,096,080	08-01-2000	Nicholson et al.	
AG2	US-6,113,602	09-05-2000	Sand	
AH2	US-6,113,637	09-05-2000	Gill et al.	
AI2	US-6,113,638	09-05-2000	Williams et al.	
AJ2	US-6,146,421	11/2000	Gordon et al.	
AK2	US-6,156,067	12/2000	Bryan et al.	
AL2	US-6,179,873-B1	01-30-2001	Zientek	
AM2	US-6,179,874	01/2001	Cauthen.	
AN2	US-6,190,413	02-20-2001	Sutcliffe	
AO2	US-6,214,005-B1	04-10-2001	Benzel et al.	
AP2	US-6,228,118	05/2001	Gordon, Dennis P.	
AQ2	US-6,241,769-B1	06-05-2001	Nicholson et al.	
AR2	US-6,368,350	04/2002	Erickson et al.	
AS2	US-6,395,032-B1	05-28-2002	Gauchet	
AT2	US-6,416,551-B1	07-09-2002	Keller	
AU2	US-6,432,106-B1	08-13-2002	Fraser	
AV2	US-6,461,359-B1	10-08-2002	Tribus et al.	
AW2	US-6,517,580-B1	02-11-2003	Ramadan et al.	
AX2	US-6,524,312-B2	02-25-2003	Landry et al.	
AY2	US-6,527,804-B1	03-04-2003	Gauchet et al.	
AZ2	US-6,540,785-B1	04-01-2003	Gill et al.	
AA3	US-6,576,017-B2	06-10-2003	Foley et al.	
AB3	US-6,579,320	06-17-2003	Fabien Gauchet	
AC3	US-6,582,466-B1	06-24-2003	Gauchet et al.	
AD3	US-6,582,468-B1	06-24-2003	Gauchet et al.	
AE3	US-6,610,093-B1	08-26-2003	Pisharodi	
AF3	US-6,652,533-B2	11-25-2003	O'neil	
AG3	US-6,679,915-B1	01-20-2004	Cauthen	
AH3	US-6,682,562-B2	01-27-2004	Viat et al.	
AI3	US-6,716,245-B2	04-06-2004	Pasquet et al.	

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)					

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--



PTO/SB/08a/b (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form T449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/781,484
				Filing Date	February 18, 2004
				First Named Inventor	Rafail Zubok
				Art Unit	3738
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	SPINE 3.0-455 CIP CONT V
Sheet	3	of	2		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
--------------------	--	-----------------	--